IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

FIRST APPEAL NO. 484 OF 1992

Union of India ..Appellants

versus

M/s. Eknath Khemchand & Co. ..Respondents

Mr. A. N. Samant for the Appellants.

None for the Respondents.

CORAM : D. G. DESHPANDE,J.

DATE : 12TH APRIL,2005

ORAL ORDER :

1. Heard learned counsel for the appellants. Nobody is present for the respondents. He raised only one submission and that is regarding award of interest at the rate of 12% per annum on the decretal amount. Counsel for the appellants relied upon judgment of this Court reported in **2005 (1) Mh.L.J. 165 Maharashtra State Electricity Board vs. Union of India.** It was a claim against the Railways and the interest was awarded ultimately by the High court at 9% per annum. I had also followed same judgment earlier, therefore on this ground alone, the appeal is to be partly allowed. In the result, I pass the following order:

ORDER

. The Appeal is partly allowed.

. Order of the Tribunal is modified as under :

The Appellants herein are ordered to pay Rs.4,116/- to the Respondents herein together with interest at the rate of 9% per annum on Rs.4,056/- from the date of the suit till realisation, and proportionate costs.

. No order as to costs of this Appeal.

12.04.2005 (D.G. DESHPANDE, J.)